

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

**Deutsche Bank National Trust Company
as trustee**

Plaintiff,

vs.

Mell D. Coburn, et al.

Defendants.

Case No. 1:07-cv-2554

Judge Solomon Oliver, Jr.

**ORDER VACATING JUDGMENT
AND DISMISSING CASE**

UNITED STATES DISTRICT JUDGE SOLOMON OLIVER, JR.

This matter is before the Court on the motion of Plaintiff for an order vacating the judgment and decree of foreclosure entered in this case under Rule 60(b)(5) and for an order dismissing this case under Rule 41(a)(2) of the Federal Rules of Procedure. The Court hereby grants Plaintiff's motion. The judgment and decree of foreclosure entered in this case is hereby vacated and this action is hereby dismissed without prejudice at Plaintiff's costs.

IT IS SO ORDERED.

/s/SOLOMON OLIVER, JR.

Solomon Oliver, Jr.

UNITED STATES DISTRICT JUDGE